

EXHIBIT 101

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 - - -

5
6 IN RE: NATIONAL : HON. DAN A.
7 PRESCRIPTION OPIATE : POLSTER
8 LITIGATION : :
9 :
10 APPLIES TO ALL CASES : NO.
11 : 1:17-MD-2804
12 :
13

14 - HIGHLY CONFIDENTIAL -

15 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

16 - - -

17 February 15, 2019

18 - - -

19 Videotaped deposition of
20 GEORGE STEVENSON, taken pursuant to
21 notice, was held at the offices of
22 McCarter & English, LLP, 1600 Market
23 Street, Philadelphia, Pennsylvania,
24 beginning at 9:11 a.m., on the above
 date, before Michelle L. Gray, a
 Registered Professional Reporter,
 Certified Shorthand Reporter, Certified
 Realtime Reporter, and Notary Public.

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<p style="text-align: right;">Page 322</p> <p>1 hell and not a godsend, right?</p> <p>2 MS. VANNI: Object to form.</p> <p>3 THE WITNESS: Well, yeah, I</p> <p>4 just -- for the record, I think</p> <p>5 it's pure speculation to know</p> <p>6 whether they abused a product or</p> <p>7 didn't abuse a product, whether</p> <p>8 they took an opioid like</p> <p>9 OxyContin, drank alcohol, or -- or</p> <p>10 did other nefarious things that</p> <p>11 were contra to the indication on</p> <p>12 the label.</p> <p>13 So the title could be</p> <p>14 misleading. I don't know what</p> <p>15 caused their hell, the 12 hours of</p> <p>16 hell, just for the record.</p> <p>17 BY MS. SCULLION:</p> <p>18 Q. Now, going back to</p> <p>19 Exhibit 19.</p> <p>20 A. 19.</p> <p>21 Q. Yep.</p> <p>22 A. Be good at numbers.</p> <p>23 Q. I'm getting better.</p> <p>24 Same page we were just on,</p>	<p style="text-align: right;">Page 324</p> <p>1 material to doctors. That I don't</p> <p>2 recall.</p> <p>3 BY MS. SCULLION:</p> <p>4 Q. Did you ever see any</p> <p>5 informational materials that went out</p> <p>6 directly to doctors concerning --</p> <p>7 A. I don't recall --</p> <p>8 Q. Sorry.</p> <p>9 -- concerning generic</p> <p>10 oxycodone ER?</p> <p>11 A. I don't recall any.</p> <p>12 Q. Do you recall seeing any</p> <p>13 "Dear Doctor" letters concerning generic</p> <p>14 oxycodone ER that told the doctors</p> <p>15 that -- that that medication should not</p> <p>16 be overprescribed?</p> <p>17 A. I don't recall any.</p> <p>18 Q. Okay. And turn the page --</p> <p>19 A. But I -- can I -- I do want</p> <p>20 to stipulate though, it says --</p> <p>21 Q. I'm so sorry, I apologize,</p> <p>22 Mr. Stevenson. Your counsel will have</p> <p>23 the opportunity to ask you questions, and</p> <p>24 I'm certain that she will. So I'm trying</p>
<p style="text-align: right;">Page 323</p> <p>1 which discusses the AP article that came</p> <p>2 out, second AP article after Endo</p> <p>3 coordinated an interview between</p> <p>4 Dr. Galer and the AP reporter.</p> <p>5 The third bullet point with</p> <p>6 respect to balanced messages in that</p> <p>7 article says, "The company, Endo, plans</p> <p>8 to monitor for prescription data for</p> <p>9 signs of abuse and tell doctors that the</p> <p>10 medication should not be overprescribed."</p> <p>11 Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Now, I think you've</p> <p>14 mentioned and testified to rather a</p> <p>15 number of times, with respect to generic</p> <p>16 oxycodone ER, Endo wasn't going to be</p> <p>17 telling doctors anything, right? Endo is</p> <p>18 not directly communicating with</p> <p>19 physicians concerning that generic</p> <p>20 product, right?</p> <p>21 MS. VANNI: Object to form.</p> <p>22 THE WITNESS: They were not</p> <p>23 promoting it. I do not know if</p> <p>24 they sent out informational</p>	<p style="text-align: right;">Page 325</p> <p>1 to move on to the next part of this</p> <p>2 document. Sorry.</p> <p>3 The recommendations section</p> <p>4 on -- starts with communications</p> <p>5 imperatives. Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. And do you see that one of</p> <p>8 the communications imperatives identified</p> <p>9 a must have as part of a crisis</p> <p>10 preparedness program is, looking at the</p> <p>11 third bullet point, "A strategy to</p> <p>12 neutralize critics/activists."</p> <p>13 Do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. Those are pretty strong</p> <p>16 words, right, neutralize?</p> <p>17 MS. VANNI: Object to form.</p> <p>18 THE WITNESS: I didn't write</p> <p>19 them. They were written by a PR</p> <p>20 firm.</p> <p>21 BY MS. SCULLION:</p> <p>22 Q. Well -- just to make sure we</p> <p>23 are on the same page. This was, in fact,</p> <p>24 a PR firm that Endo hired. But I -- I</p>

<p style="text-align: right;">Page 326</p> <p>1 will show you. I know you said you don't</p> <p>2 remember. Let me show you, so you know</p> <p>3 the basis on which we are saying that.</p> <p>4 You don't have to take my word for it.</p> <p>5 (Document marked for</p> <p>6 identification as Exhibit</p> <p>7 Endo-Stevenson-22.)</p> <p>8 BY MS. SCULLION:</p> <p>9 Q. Let me show you what's been</p> <p>10 marked as Exhibit 22.</p> <p>11 And Exhibit 22 is a copy of</p> <p>12 Endo Health Solutions Inc. and Endo</p> <p>13 Pharmaceutical Inc.'s -- excuse me, Endo</p> <p>14 Pharmaceuticals Inc.'s supplemental</p> <p>15 objections and responses to plaintiffs'</p> <p>16 second set of interrogatories numbers --</p> <p>17 and I'm not going to read the series of</p> <p>18 numbers.</p> <p>19 If you'll go to Page 35.</p> <p>20 A. Can I just ask a question?</p> <p>21 Q. Absolutely.</p> <p>22 A. What -- what is the date of</p> <p>23 this document?</p> <p>24 Q. Sure. The date of this</p>	<p style="text-align: right;">Page 328</p> <p>1 to --</p> <p>2 A. But Cohn & Wolfe did not do</p> <p>3 any marketing or promotional materials</p> <p>4 for the generic business, just for --</p> <p>5 Q. That's fine.</p> <p>6 A. For the record.</p> <p>7 Q. That's fine.</p> <p>8 Here, here we're looking in</p> <p>9 Exhibit 19 at what is more traditionally</p> <p>10 called public relations.</p> <p>11 A. Yes.</p> <p>12 Q. Okay. So let's -- we were</p> <p>13 on the page communications imperatives.</p> <p>14 A. Yes.</p> <p>15 Q. And the strategy to</p> <p>16 neutralize critics/activists, right?</p> <p>17 A. Yes.</p> <p>18 Q. Just getting us back to</p> <p>19 where we are.</p> <p>20 Now, again, what's written</p> <p>21 here is to neutralize the critics and</p> <p>22 activists. It doesn't say for example,</p> <p>23 engage in a thoughtful debate, right?</p> <p>24 MS. VANNI: Object to form.</p>
<p style="text-align: right;">Page 327</p> <p>1 document is November 15, 2018.</p> <p>2 A. 2018, okay.</p> <p>3 Q. Correct. If you'll go to</p> <p>4 Page 34.</p> <p>5 A. 34.</p> <p>6 Q. And I'm looking at</p> <p>7 Interrogatory Number 31.</p> <p>8 A. 34, okay.</p> <p>9 Q. Okay. And this is an</p> <p>10 interrogatory, you can see, that asks</p> <p>11 Endo to identify all vendors, including</p> <p>12 but not limited to, public relations</p> <p>13 firms you have retained for purposes</p> <p>14 relating to opioids. And it -- it asks</p> <p>15 for certain details.</p> <p>16 And on the next page, 35,</p> <p>17 you see listed under vendor, Cohn &</p> <p>18 Wolfe. It says, "/GCI Health." And it</p> <p>19 identifies the purpose for hiring that</p> <p>20 vendor as marketing and promotional</p> <p>21 materials, public relations.</p> <p>22 Do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. So let's go back</p>	<p style="text-align: right;">Page 329</p> <p>1 THE WITNESS: I had no way</p> <p>2 of controlling what somebody</p> <p>3 writes in a PowerPoint</p> <p>4 presentation who worked for</p> <p>5 another firm.</p> <p>6 BY MS. SCULLION:</p> <p>7 Q. Just asking. It doesn't say</p> <p>8 that, right, it doesn't say engage in a</p> <p>9 thoughtful debate, right?</p> <p>10 MS. VANNI: Object to form.</p> <p>11 THE WITNESS: No, it says</p> <p>12 neutralize, as we've already said</p> <p>13 five times.</p> <p>14 BY MS. SCULLION:</p> <p>15 Q. It doesn't say give</p> <p>16 considered attention to the concerns of a</p> <p>17 community devastated by the opioid</p> <p>18 epidemic, it doesn't say that, right?</p> <p>19 MS. VANNI: Objection to</p> <p>20 form.</p> <p>21 THE WITNESS: No, it doesn't</p> <p>22 say that.</p> <p>23 BY MS. SCULLION:</p> <p>24 Q. Says neutralize the critics</p>

<p style="text-align: right;">Page 330</p> <p>1 and -- and activists, right?</p> <p>2 A. Yes, that's what it says.</p> <p>3 Q. Right. And common</p> <p>4 understanding of the term "neutralize"</p> <p>5 means to stop something from being</p> <p>6 effective, right?</p> <p>7 MS. VANNI: Object to form.</p> <p>8 THE WITNESS: I don't know</p> <p>9 how the -- what the intent of the</p> <p>10 meaning was in the PowerPoint</p> <p>11 presentation, since I didn't write</p> <p>12 it.</p> <p>13 BY MS. SCULLION:</p> <p>14 Q. That's -- that's an</p> <p>15 understanding of what the -- the term</p> <p>16 "neutralize" does mean: Stop something</p> <p>17 from being effective?</p> <p>18 MS. VANNI: Object to form.</p> <p>19 THE WITNESS: One could have</p> <p>20 numerous, numerous definitions.</p> <p>21 Who knows what was in the state of</p> <p>22 mind of the individual who wrote</p> <p>23 it.</p> <p>24 BY MS. SCULLION:</p>	<p style="text-align: right;">Page 332</p> <p>1 I probably told you to go back too far.</p> <p>2 I apologize.</p> <p>3 A. Okay. Let's start over</p> <p>4 again.</p> <p>5 Q. Yeah.</p> <p>6 A. Oh, is that it?</p> <p>7 Q. That's it. Thank you. I</p> <p>8 apologize, we don't have page numbers.</p> <p>9 A. That's all right. No</p> <p>10 problem. My mistake.</p> <p>11 Q. This section is talking</p> <p>12 about three options for a media strategy.</p> <p>13 And again, this is for the launch of</p> <p>14 generic oxycodone ER product, right?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And then if you go to</p> <p>17 the next page, in discussing the pros and</p> <p>18 cons of one option, which is to conduct</p> <p>19 top tier briefings, do you see under the</p> <p>20 cons section, fourth bullet point down</p> <p>21 is, "Endo 'blues' story emerges."</p> <p>22 Do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. And if you go to the next</p>
<p style="text-align: right;">Page 331</p> <p>1 Q. Well, the one thing we do</p> <p>2 know is they -- they wrote that there</p> <p>3 must -- the must have was a strategy to</p> <p>4 neutralize critics and activists. That's</p> <p>5 what they did write, right?</p> <p>6 MS. VANNI: Object to form.</p> <p>7 THE WITNESS: That's what</p> <p>8 they wrote, yes.</p> <p>9 BY MS. SCULLION:</p> <p>10 Q. Okay. And then if you'll go</p> <p>11 two more pages in. This is part of the</p> <p>12 presentation of options for media</p> <p>13 strategy for the 3218 launch.</p> <p>14 Do you see that?</p> <p>15 A. What does it say at the top?</p> <p>16 Q. Media strategy for 3218</p> <p>17 launch, three options?</p> <p>18 A. Media -- media launch tab,</p> <p>19 do you reckon that is what it is?</p> <p>20 MS. VANNI: It's not up on</p> <p>21 the screen.</p> <p>22 BY MS. SCULLION:</p> <p>23 Q. Oh. That's the one. Media</p> <p>24 strategy for 3218 launch, three options.</p>	<p style="text-align: right;">Page 333</p> <p>1 page, which is discussing another</p> <p>2 potential media strategy option. Again,</p> <p>3 under the cons we see listed, "Endo</p> <p>4 'blues' story emerges."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. And same thing on the last</p> <p>8 potential strategy under the cons, "Endo</p> <p>9 'blues' story emerges."</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. And that was a reference to</p> <p>13 the history of abuse of the oxymorphone</p> <p>14 pills in the '60s and '70s, right?</p> <p>15 MS. VANNI: Objection,</p> <p>16 foundation.</p> <p>17 THE WITNESS: I have no</p> <p>18 knowledge what it is. I've never</p> <p>19 heard of it before.</p> <p>20 BY MS. SCULLION:</p> <p>21 Q. You never heard anyone talk</p> <p>22 about a prior version of oxymorphone</p> <p>23 being called "the blues"?</p> <p>24 A. No. I have never heard that</p>

<p style="text-align: right;">Page 334</p> <p>1 before.</p> <p>2 Q. Okay.</p> <p>3 MS. SCULLION: Can I have</p> <p>4 tab -- Tab 74 and 72.</p> <p>5 (Document marked for</p> <p>6 identification as Exhibit</p> <p>7 Endo-Stevenson-23.)</p> <p>8 BY MS. SCULLION:</p> <p>9 Q. Let me first hand you what's</p> <p>10 been marked Exhibit 23.</p> <p>11 Exhibit 23 is an excerpt</p> <p>12 from a book called "Drug Abuse: Current</p> <p>13 concerns and research."</p> <p>14 A. What is the date of this</p> <p>15 document?</p> <p>16 Q. If you'll turn to the second</p> <p>17 page of the exhibit, you can see that</p> <p>18 this was a book that was copyrighted in</p> <p>19 1972.</p> <p>20 A. Okay. Thank you.</p> <p>21 Q. Okay. And again I don't</p> <p>22 have all the page numbers, so it's a</p> <p>23 little bit hard to direct you. But,</p> <p>24 yeah, in the upper right-hand corner we</p>	<p style="text-align: right;">Page 336</p> <p>1 Q. And this is indicated to be</p> <p>2 Chapter 35 of this book. And it is</p> <p>3 entitled "Oxymorphone Abuse Among</p> <p>4 Narcotic Addicts."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. And it discusses in the</p> <p>8 first line, "Numorphan (oxymorphone), a</p> <p>9 narcotic analgesic developed and first</p> <p>10 marketed by Endo Laboratories in 1966 has</p> <p>11 become a drug abuse" -- "a drug of abuse</p> <p>12 among a sizable segment of the narcotic</p> <p>13 addict population."</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And I think we</p> <p>17 discussed earlier, oxymorphone was the</p> <p>18 opioid Endo used in the Opana IR and ER</p> <p>19 products, right?</p> <p>20 MS. VANNI: Object to form.</p> <p>21 THE WITNESS: It was a brand</p> <p>22 product, which I had no</p> <p>23 involvement.</p> <p>24 BY MS. SCULLION:</p>
<p style="text-align: right;">Page 335</p> <p>1 have numbers E137. Do you see those</p> <p>2 numbers?</p> <p>3 A. I'm sorry, I don't see them.</p> <p>4 Do you see them?</p> <p>5 MS. VANNI: Where is it?</p> <p>6 I'm sorry.</p> <p>7 MS. SCULLION: Sure. You</p> <p>8 have these -- upper right-hand</p> <p>9 corner.</p> <p>10 THE WITNESS: I have to get</p> <p>11 through the --</p> <p>12 MS. SCULLION: You have</p> <p>13 these little numbers that say</p> <p>14 E137.</p> <p>15 THE WITNESS: Oh, at the</p> <p>16 back. I see.</p> <p>17 MS. SCULLION: Yeah.</p> <p>18 THE WITNESS: Okay. Sorry.</p> <p>19 BY MS. SCULLION:</p> <p>20 Q. Sure. And so --</p> <p>21 A. I'm sorry. What is the</p> <p>22 page?</p> <p>23 Q. E137.1.</p> <p>24 A. Yeah.</p>	<p style="text-align: right;">Page 337</p> <p>1 Q. I'm just asking the -- you</p> <p>2 understand that was the same opioid,</p> <p>3 right?</p> <p>4 MS. VANNI: Object to form,</p> <p>5 foundation.</p> <p>6 THE WITNESS: To be honest,</p> <p>7 you know, I haven't done -- what</p> <p>8 the derivative is or what was the</p> <p>9 predecessor of it, I really don't</p> <p>10 know. It wasn't my focus.</p> <p>11 BY MS. SCULLION:</p> <p>12 Q. Sure. We saw earlier in the</p> <p>13 10-K though that oxymorphone was listed</p> <p>14 as one of the products that Endo was</p> <p>15 marketing during your time there?</p> <p>16 A. Oh, yeah. They were</p> <p>17 marketing several products when I was</p> <p>18 there.</p> <p>19 Q. Okay. And then if you look</p> <p>20 under the heading "Background," you'll</p> <p>21 see in the second paragraph, it says, "On</p> <p>22 the street Numorphan can be identified by</p> <p>23 its various subculture names Numorphine,</p> <p>24 Blue Morphine, Blue Morphan, or Blues."</p>